IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN

JOSE ACEVEDO, individually and as Special Administrator of the Estate of JOEL ACEVEDO,

Plaintiff,

CASE NO. 23-CV-0489

v.

OFFICER MICHAEL MATTIOLI, et. al.,

Defendants.

PLAINTIFF'S RESPONSE TO DEFENDANT MICHAEL MATTIOLI'S MOTION TO STAY PROCEEDINGS

PLAINTIFF, JOSE ACEVEDO, individually and as Special Administrator of the Estate of JOEL ACEVEDO, by and through his attorneys, hereby respond to DEFENDANT, OFFICER MICHAEL MATTIOLI'S Motion to Stay Proceedings, as follows:

- 1. Plaintiff has an interest in proceeding with the above-captioned matter expeditiously.
- 2. The Plaintiff has no objection to the Defendant's Motion, but would only stipulate to a brief stay pending the conclusion of the criminal proceedings.
- 3. Accordingly, if this Court elects to grant the proposed stay, the Plaintiff would seek for this Court to reconvene the present case with the applicable time constraints consistent with the Fed. R. of Civil Procedure and local rules upon the rendering of the verdict in the criminal proceeding.

Therefore, PLAINTIFF submits and does not oppose a Court's grant of a brief stay of the instant matter pending Defendant Mattioli's criminal proceedings.

By: /s/ B'Ivory LaMarr

B'Ivory LaMarr, Bar No. 1122469 THE LAMARR FIRM 5718 Westheimer Rd., Suite 1000 Houston, TX 77057

Phone: (800) 679-4600 ext. 700 Email: blamarr@lamarrfirm.com

Kirk M. Claunch, Bar No. 1039975 THE CLAUNCH LAW FIRM 301 W. Central Avenue Forth Worth, TX 76164 Phone: (817)335-4003

Fax: (817) 335-7112

Email: <u>claunchlaw3@earthlink.net</u>

Ben Crump Ben Crump Law 717 D St Nw-Ste 310 Washington, DC 20004 Phone: 800-959-1444 ben@bencrump.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of PLAINTIFF'S BRIEF IN SUPPORT OF RESPONSE TO DEFENDANT MICHAEL MATTIOLI'S MOTION TO STAY PROCEEDINGS has been served to the following via electronic service (ECF) on this 8th day of June, 2023.

Craig S. Powell HART POWELL, SC 735 North Water Street, Suite 1212 Milwaukee, WI 53202 (414)271-9595 (414)271-3701 [Facsimile] cspowell@hartpowell.com

Clint B Muche
City of Milwaukee
841 N Broadway - 7th Fl
Milwaukee, WI 53202
414-286-6195
Email: cmuche@milwaukee.gov

Jennifer L Williams
City of Milwaukee
City Attorney's Office
841 N Broadway
Milwaukee, WI 53202
414-286-2645
Email: jewill@milwaukee.gov

By: <u>Electronically Signed by B'Ivory LaMarr</u>

B'Ivory LaMarr, Esq.